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8 *Attorney for Defendant*

9 **JUSTIN ROBERT CRUZ WHITE**

10 **IN THE SUPERIOR COURT OF GUAM**

11 **HAGÁTÑA, GUAM**

12 UNITED STATES OF AMERICA )

CRIMINAL CASE NO. 15-00041

13 vs. )

14 JUSTIN ROBERT WHITE CRUZ )

**MOTION TO WITHDRAW  
AS COUNSEL**

15 *Defendant.* )

16 **COMES NOW**, the Law Office of Cynthia V. Ecube, Esq., A Professional Corporation, by

17 Cynthia V. Ecube, Esq., and hereby moves this Court for leave to withdraw as counsel for Defendant

18 Justin Robert White Cruz in the above-entitled criminal proceeding based on the ground that a conflict

19 of interest exists.

20 This Motion is brought pursuant to Rule 1.17 of the Guam Rules of Professional Conduct. Rule

21 1.17 governing conflicts of interest provide in relevant part:

22 “(a) Except as provided in paragraph (b), a lawyer shall not represent a client if  
23 the representation involves a concurrent conflict of interest. A concurrent  
24 conflict of interest exists if:

25 (1) the representation of one client will be directly adverse to another  
26 client; or

27 (2) there is a significant risk that the representation of one or more  
28 clients will be materially limited by the lawyer’s responsibilities to

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4 another client, a former client or a third person or by a personal  
5 interest of the lawyer.”

6 In the instant case, the undersigned submits that there is sufficient facts set forth in the  
7 Declaration of Counsel filed contemporaneously with said Motion demonstrating that a conflict of  
8 interest exists as provided under 1.17(a)(1) of the Guam Rules of Professional Conduct.

9 For these reasons, the undersigned requests that the Court grant counsel’s leave to withdraw and  
10 appoint new counsel for the natural father pursuant to the undersigned’s Motion, and any other  
11 evidence which may be presented at the hearing in this matter.

12 Respectfully submitted this 7th day of January, 2016.

13  
14 **LAW OFFICE OF CYNTHIA V. ECUBE, ESQ.**  
15 *A Professional Corporation*

16 /s/ Cynthia V. Ecube

17 By:

18 CYNTHIA V. ECUBE, ESQ.